

REMARKS

In the final Office Action, the Examiner rejected claims 1, 7, and 10 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,132,258 to Kajinuma (hereinafter, "Kajinuma") and rejected claims 3, 4, 8, 9, and 11-13 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,183,405 to Elicker et al. (hereinafter, "Elicker").

Applicants propose to amend claims 1, 9, 10, and 11 in order to more appropriately define their invention. Claims 1, 3, 4, and 7-13 are currently pending in the above-captioned patent application.

At the outset, Applicants note that the Examiner advised Applicants during a telephone conversation on April 5, 2005, that he had not received a previously-filed Supplemental Information Disclosure Statement (IDS) in this case. Applicants have attached hereto, however a copy of that IDS with a date-stamped postcard receipt evidencing that the IDS and cited documents were indeed timely filed in the U.S. Patent and Trademark Office on July 8, 2004. Accordingly, Applicants respectfully request that the references listed on the PTO Form SB/08 accompanying the IDS be considered, and the Examiner evidence such consideration by making the appropriate notations on that form.

Applicants have also attached a Second Supplemental IDS citing a document listed an Official Notice of Rejection ("Notice") from the Japanese Patent Office in a counterpart foreign application. The Second Supplemental IDS is being filed within three months of the mailing date of the Notice, and is accompanied by a fee of \$180.00,

as specified under 37 C.F.R. § 1.17(p). Applicants therefore respectfully request that the documents cited therein also be considered.

Applicants respectfully traverse the Examiner's rejection of claims 1, 7, and 10 under 35 U.S.C. § 102(b) as being anticipated by Kajinuma.

Claim 1 is not anticipated by Kajinuma, because the reference fails to teach each and every element of the claim. In particular, Kajinuma at least fails to teach that "non-elastic metallic engaging portions provided in said first connector section are latched with elastic metallic projections provided on inner surface of an elastic piece in said second connector section," as recited in claim 1 (emphasis added).

Kajinuma discloses a "connector assembly for mounting on printed circuit boards." Kajinuma, Abstract. Specifically, Kajinuma discloses a receptacle connector 10 and a plug connector 20. Kajinuma, Abstract, Figs. 1 and 5. When mated, a receptacle-side board mount 16 has a spring arm contact section 16c that engages a contact tab 26c. Kajinuma, Abstract, Fig. 11. The Examiner contends that spring arm contact section 16c and contact tab 26c correspond to the "non-elastic metallic engaging portions provided in the first connector section" and "elastic metallic portions provided in the second connector section," respectively. Final Office Action, pg. 2. Applicants respectfully disagree.

Kajinuma discloses that spring arm contact section 16c of the receptacle-side solder mount 16 "comes in contact with the contact tab 26c of the plug-side solder mount 26" when the housings 12 and 22 are joined together. Kajinuma, col. 3, ll. 58-60, Fig. 13. As shown in Fig. 14, however, spring arm contact section 16c "is deflected

inside as shown in Fig. 14.” Kajinuma, col. 3, ll. 60-61; see *also* col. 3, l. 64 – col. 4, l. 3. Thus, Kajinuma merely discloses that contact section 16c and contact tab 26 come in contact. Moreover, there is no disclosure that contact 16c and contact tab 26c are “latched,” as required by claim 1.

Accordingly, in view of the above-described deficiencies of the Examiner, Applicants submit the proposed amended claim 1 is allowable over the applied reference and claim 7 is allowable at least due to its dependence from claim 1.

Proposed amended claim 10, although of different scope, recites limitations similar to those recited in claim 1. For example, proposed amended claim 10 recites that when “said first connector section is coupled to said second connector section, non-elastic metallic engaging portions provided in said first connector section are latched with elastic metallic projections provided on an inner surface of an elastic piece provided in said second connector section.” Accordingly, claim 10 is allowable over Kajinuma at least for the reasons discussed above in regard to claim 1.

Applicants also respectfully traverse the Examiner’s rejection of claims 3, 4, 8, 9, and 11-13 under 35 U.S.C. § 102(b) as being anticipated by Elicker.

Proposed amended claim 9, for example, is not anticipated by Elicker, because the reference fails to teach each and every element of the claim. In particular, Elicker at least fail to teach that “non-elastic metallic engaging portions provided in said first connector section are latched with elastic metallic projections provided on an inner surface of an elastic piece provided in said second connector section,” (emphasis added) as recited in amended claim 9.

Elicker discloses an electrical connector assembly having first and second matable connectors 12 and 52. Elicker, Abstract, Fig. 1. First connector 12 has a ground bus means 40 extending between two rows of terminal members 34 and securable to housing 14 of connector 12. Elicker, Abstract, Fig. 1. Ground bus means 40 includes first ground engagement means 42 adapted to “electrically engage a ground means of the assembly.” Elicker, Abstract, Fig. 1. Second connector 52 includes “a ground contact (80) having second ground engagement means (88) adapted to electrically engage first ground engagement (42) means upon mating connectors (12, 52).” Elicker, Abstract, Fig. 1.

The Examiner contends that ground engagement means 42 corresponds to the claimed “non-elastic metallic engaging portions . . . provided in the first connector section” and ground engagement means 88 (through the bend at 87) corresponds to the “elastic metallic portions . . . provided in the second connector,” recited in claim 9. See Final Office Action, pg. 3. According to Elicker, however, “the first and second ground engagement means 42, 88 are adapted to go past each other and bear against each other under spring bias as the connectors 12, 52 are mated.” Elicker, col. 4, ll. 54-57 (emphasis added); see *also* Fig. 6. Since, means 42 and 88 “go past each other,” they are not “latched” as recited in proposed amended claim 9. Elicker, therefore, does not teach that the claimed “non-elastic metallic engaging portions provided in said first connector section . . . latched with elastic metallic projections provided in said second connector section,” (emphasis added), as recited in proposed amended claim 9.

In light of the above-described shortcomings of Elicker, proposed amended claim 9 is allowable over the applied reference and claims 3, 4, 8, and 12 are allowable at least due to their dependence from claim 9.

Proposed amended claim 11 recites certain claim limitations similar to those recited in proposed amended claim 9. For example, claim 11, as amended, recites “nibs of a non-elastic metallic holding fixture provided in said first connector section are latched with projections provided on an inner surface of an elastic metallic holding fixture provided in said second connector section.” Claim 11, therefore, is allowable over Elicker for at least the reasons set forth above in regard to claim 9, and claim 13 is allowable at least due to its dependence from claim 11.

Conclusion

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1, 3, 4, and 7-13 in condition for allowance. Applicants submit that the proposed amendments to claims 1 and 9-11 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicant's invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.



Dated: April 6, 2005

By: Reg. No. 34,731
John M. Romary
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Attachments: Supplemental Information Disclosure Statement
Date-Stamped Postcard Receipt
Second Supplemental Information Disclosure Statement